

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

May 21, 2020 - 9:30 am to 12:00 pm

Conference Call MEETING MINUTES

MHDS COMMISSION MEMBERS PRESENT:

Betsy Akin
Diane Brecht
Teresa Daubitz
John Parmeter
Maria Sorensen

Cory Turner
Richard Whitaker
Russell Wood
Lorrie Young

MHDS COMMISSION MEMBERS ABSENT:

Timothy Perkins
Janee Harvey
Shari O'Bannon
Senator Jeff Edler

Senator Pam Jochum
Representative Joel Fry
Representative Scott Ourth

OTHER ATTENDEES:

Theresa Armstrong
Teresa Bomhoff
Diane Caldwell
Rachel Cecil
John Hedgcoth
Julie Jetter
Bill Kallestad
Katie Peck
Julie Maas
Flora Schmidt
Adrienne Seusy
Jason Vermeer
Suzanne Watson

MHDS, Bureau Chief Community Services & Planning
Iowa Mental Health Planning & Advisory Council

CROSS Region
Amerigroup
MHDS, Community Services & Planning
DD Council
Easter Seals
MHDS, Community Services & Planning
Iowa Behavioral Health Association
Legislative Services Agency
Iowa Total Care
Southwest Iowa MHDS Region

Welcome and Call to Order

John Parmeter called the meeting to order at 9:30 am and led introductions. Quorum was established with thirteen members present. John identified he would have a conflict of interest during the vote for commission officers. John asked meeting participants to limit questions and comments to the end of presentations and the public until public comment.

Review of Commission Duties

Theresa said the duties of the Commission's statutory duties are listed in Iowa Code 225C.6. Theresa summarized the duties saying that the Commission provides advice on the Department of Human Services budget, assist in the development, notice, and adoption of Administrative Rules, and provide recommendations to DHS on amendments to MHDS Regions Annual Service Plans and Budgets or if there is a new designation for a community mental health center. Theresa said the Commission's collaboration with the DD Council and Mental Health Planning Council is also important, and provides the Department with valuable information.

Approval of Minutes

Russell Wood made a motion to approve the April 16, 2020 meeting minutes. Lorrie Young seconded the motion. The motion passed unanimously.

Mental Health and Disability Services Regions Annual Policies and Procedures Amendments

John said there were several Regions who are bringing amendments to their policies and procedures and the Commission will vote to either recommend DHS approve their amendments or recommend that DHS does not approve amendments.

Julie Jetter with DHS said that HF690 required the Regions to develop a children's behavioral health system and all of the Regions will be bringing their policies and procedures to the Commission in the next few months. The CEO or staff from each of the Regions will walk through their changes.

Central Iowa Community Services

Betsy Sturmsma went through the summary of changes and said that all the changes were related to changing their governing structure to meet the requirements of HF690 and adding children's core services. Betsy said they also updated definitions and budget and management plan to fall in line with code changes and align with actual practices.

Lorrie Young made a motion to recommend DHS approve the amendments. Betsy Akin seconded the motion. The motion passed unanimously with Russell Wood abstaining.

County Rural Offices of Social Services

Rachel Cecil walked through the amendments to their policies and procedures and said that their changes were also to update definitions, governing structure, and their budget and management plan to fall in line with code changes and align with actual practices.

Russell Wood made a motion to recommend DHS approve the amendments. Richard Whitaker seconded the motion. The motion passed unanimously.

Polk County

Liz Cox said that their changes were similar to the other regions and they had a transformation in governance structure. They developed a separate advisory committee for children and expanded the adult advisory committee.

Russell Wood made a motion to recommend DHS approve the amendments. Lorrie Young seconded the motion. The motion passed unanimously.

Southwest Iowa MHDS Region

Suzanne Watson said that the changes they made to their policies and procedures are similar to the other regions. Their changes were made to fall in line with code changes and include a change to governance structure, adding children's services, and aligning with current practices.

Russell Wood made a motion to recommend DHS approve the amendments. Richard Whitaker seconded the motion. The motion passed unanimously.

Review of the Administrative Rule Process – Nancy Freudenberg

Nancy introduced herself and said that along with administrative rules her bureau also handles appeals and exceptions to policy. Nancy said that all state agencies must follow the same

procedure for administrative rules and that DHS has the most rule packages because they are the biggest agency serving a wide variety of populations. Nancy said that DHS can only make changes to administrative rules when they have the legal authority to make the changes. Nancy said that the preamble of each rules package lays out the time frame for public comment and all changes made to the rules. All comments received are published along with the Department's response to them.

Nancy said that once the rule packages are published they go to the Administrative Rules Committee for their review and the public can also present and make comments at those meetings. The Committee doesn't act the first time the rules are noticed but can provide input and the second time the rules come through they can do a 70 day delay or session delay which puts the rules on hold from going into effect or refer rules to general assembly for the heads of each session to review concerns and the rules still go into effect. In general, the entire rules process takes about 6 months.

Review of Open Meetings, Conflicts of Interest, and Ethical Considerations of Commission Membership – Gretchen Kraemer

Gretchen Kraemer explained that the Commission as a state commission is governed by open meetings laws which are in Iowa Code Chapter 21. There must be an agenda for each meeting. Agendas must be posted at least twenty-four hours before the meeting and available to the public. The agenda is the invitation to the public to come to the meeting. In the past, there have been questions about taking agenda items out of order during the meeting when presenters are running late or not available. Commissions are allowed to take items out of order, but Gretchen said that this should be done in a way that preserves the agenda as much as possible. The concern is that members of the public will miss something of interest if it is presented at a different time than what is posted on the agenda. If something important comes up that is not on the agenda, Gretchen encouraged the Commission to push it to another meeting so that the public can have adequate notice. Phone participation is allowed as long as the phone number is published and the call is done via speaker phone. Electronic participation and email participation is also valid, but such emails are public information and subject to Freedom of Information Act requests.

Gretchen said there are rules dictating how boards and commissions can go into closed session. There are times when sensitive information is being discussed when the Commission would want to discuss it off of the public record such as pending litigation or a contested case, but only that item could be discussed in closed session, and any vote or decision would need to be made and announced publicly.

Gretchen said that if the Commission had an informal outing where a quorum of members were present, and conversation turned to the business of the Commission, this would be considered a meeting that did not comply with open meetings laws. If there is a quorum of members present, they cannot discuss the business of the Commission without adequate public notice.

Open meetings are required to have a period during the meeting for public comment. This could be a specific period of time reserved for public input, or the Commission has, as a matter of practice, allowed for public input throughout its meetings, which is also acceptable.

Committees within the Commission can meet and are not governed by open meeting laws. They must have less than a quorum, and they may only make recommendations. The Commission must vote on any decisions. Commission members can discuss the business of the Commission

in informal or social settings as long as less than a quorum is present. Once there is a quorum, open meeting laws apply.

Conflicts of interest arise when a member of the Commission has a personal or professional stake in a decision being made by the Commission. If a matter comes to the Commission that would affect a member personally or their business, the member must abstain from any vote on the subject and shouldn't participate in the discussion due to the appearance of conflict.

The Commission is allowed to lobby, however it must follow certain rules. The Commission must elect one representative to be the designated lobbyist, which is traditionally the chair. The designated person must register as a lobbyist, and the Commission must vote on all official Commission positions. Individual members are still allowed to lobby as private citizens, but cannot claim to represent the Commission while doing so.

MHDS Update –Theresa Armstrong

Theresa said she would start her update with grants related to COVID19. FEMA awarded Iowa a Presidential Disaster Declaration for individual assistance, limited to the Crisis Counseling Program-Individual Assistance Program. The grant is a 45 day grant and started immediately upon award. Karen Hyatt is managing the grant for MHDS and will be assessing the need and write for the regular services program grant to provide mental health outreach for an additional 185 days. This is similar to the flood and tornado disaster grants from FEMA that MHDS has administered previously. IA received this grant last year related to the Missouri River flooding on the southwest side of the State which ended on April 28th. This grant is statewide and all services will be provided virtually. Services are confidential and provided individually and through groups. The services for this grant include:

- Supportive crisis counseling,
- Psycho-education,
- Development of coping skills, and
- Linkage to appropriate resources, while assessing and referring those members of the community who are in need of intensive mental health and substance use treatment to appropriate community resources.

MHDS will use contractors to employ outreach counselors who will provide outreach and counseling to individuals and groups to increase their understanding of taking care of their mental health, decrease stress, provide referrals to housing, food assistance, employment, and mental health and substance use disorder services. The contracted providers are:

- Abbe Center for Community Mental Health, Inc. – 24-hr warm-line (peer support specialists)
- Heartland Family Service
- Pathway Behavioral Health
- Iowa State University Extension – Agriculture supports and services – focused support line
- Centers for Disabilities and Development

This grant will require a lot of media, and communication about the program to increase awareness of these mental health supports. MHDS will be contracting with entities that have expertise in specific areas of focus to provide direct outreach and counseling and provide training and support to other outreach counselors. The special populations include:

- Agriculture, Rural communities,
- Domestic Violence,
- Homelessness,
- Children and families,
- Unemployed, including non-essential and essential staff
- Older Adults
- Developmental Disabilities
- Veterans and Military Families

Theresa said that IDPH and MHDS are working collaboratively on a SAMHSA grant related to emergency services for mental health and substance use disorder during COVID-19. The grant is \$2 million for 16 months and services are to begin by August. All services will be provided via telehealth or other virtual methods. The grant is for outpatient treatment and services for individuals with a serious mental illness and/or substance use disorder who are effective by COVID. Program will consist of emergency crisis management screening services (contracted to Foundation 2), a 24-hour “Warm Line” which offers Peer Support and Recovery Coaching (contracted to the Abbe Center), and substance use and mental health disorder treatment and recovery support services across the state of Iowa (contracted to providers that meet eligibility criteria). DHS is providing additional funding to this project to support the Iowa Warm Line (Abbe Center).

Theresa said that SAMHSA has awarded several certified community behavioral health clinic (CCBHC) grants. Some were awarded through CCBHC extension grants and some were awarded through money put into the CARES Act for CCBHC. The Iowa awards include:

- Abbe Center,
- Seasons Center,
- Eyerly-Ball,
- Berryhill,
- Hillcrest,
- Plains Area,
- Robert Young,
- Elevate Housing Foundation

Theresa said that inpatient psychiatric beds were extremely high during the first few months of the pandemic, even with hospitals isolating parts of their wings to serve individuals testing positive for COVID and moving to single occupancy rooms. Hospitals reported less individuals were reporting to the emergency rooms. Some CMHC increased their outreach and triage to guide individuals to crisis services. Available beds are closer to normal but remain slightly high. The hospitals are reporting that individuals coming to the hospital are more acute.

Regional children’s implementation plans and annual service and budget plans were due to MHDS on April 1st. DHS extended the submissions to May 1 due to the pandemic.

Muscatine County was planning to leave Eastern IA MHDS and move to SEIL but SEIL voted not to accept them into their region. DHS assigned Muscatine to remain in Eastern IA region given

the pandemic that is going on right now. Eastern IA accepted this decision and working to unify the region and move forward with development of new core services and the Children's system.

Other regional changes effective July 1:

- Dickinson and O'Brien joining Sioux Rivers
- Kossuth, Winnebago, and Worth joining Northwest IA Care Connections

The Children State Board met via zoom on May 12 from 9-12 and a portion of their meeting was dedicated to the Regional CEOs discussing their children's implementation plans. The plans were due April 1st along with their annual service and budgets. The plans being presented were draft plans since they had not all been approved by their governing boards and are under review by MHDS. The discussion was more on where they are at with developing the children's system and challenges they are facing including workforce, funding and cashflow. The next children's board meeting will be focusing more on outcomes and metrics, telehealth in schools, funding the system, and the definition of serious emotional disturbance.

Theresa said another project MHDS is working on with CDD and the DD Council is to bring a trainer into the state for person centered planning and positive behavior supports training. Matt Enyart is the trainer and is from a UCEDD in another state. There will be a train the trainer for 20-25 people who commit to training organizations and beyond and 4 statewide trainings for community providers. There will also be an opportunity for online technical assistance. The goal was to occur between June and August and are planning to do some online components if they can't be done in person.

Commission Planning Calendar

John Parmeter reviewed the commission planning calendar and spoke about the committees the Commission has, and their responsibilities throughout the year. The Commission members volunteered to serve on the following committees.

Legislative Priorities

- Lorrie Young
- Russell Wood
- Diane Brecht
- Maria Sorensen

Cost Increase Recommendations

- John Parmeter

MHI/SRC

- Cory Turner
- Betsy Akin

County/Regional Services

- Russell Wood
- Betsy Akin
- Diane Brecht

Planning for Future Meetings

John discussed the format for Commission meetings for the next few months and the Commission decided that the June and possibly July meetings will not be in person.

Public Comment

None

The meeting adjourned at 11:56 am.

Minutes respectfully submitted by Julie Maas.